

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLEMENS A. KOOT,

Plaintiff

v.

BWDAC, INC., et al.,

Defendants

Case No.: 2:24-cv-00190-APG-EJY

**Order (1) to Show Cause Why This Action
Should Not Be Remanded for Lack of
Subject Matter Jurisdiction and
(2) Striking Certificates of Interested
Parties**

Defendant Caterpillar Inc. removed this action from state court based on diversity jurisdiction. ECF No. 1. However, Caterpillar does not identify the citizenship of each of the defendants. For the corporate defendants, Caterpillar must identify the state of incorporation and where the corporation has its principal place of business. *See* 28 U.S.C. § 1332(c)(1). For the limited liability company defendants, Caterpillar must identify the citizenship of each member of each limited liability company. *See Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (stating that “an LLC is a citizen of every state of which its owners/members are citizens”). Because Caterpillar has not done so, I cannot determine that complete diversity exists. Accordingly, I order Caterpillar to show cause why this action should not be remanded to state court for lack of subject matter jurisdiction.

Additionally, I strike the certificates of interested parties filed by Caterpillar, plaintiff Clemens Koot, and defendant Pfizer Inc. for failure to comply with Federal Rule of Civil Procedure 7.1(a)(2). The certificates do not identify the citizenship of the filing party as required by the recent amendment to that rule.

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1 I THEREFORE ORDER that defendant Caterpillar Inc. shall show cause why this matter
2 should not be remanded to state court for lack of subject matter jurisdiction. Failure to respond
3 to this order by February 23, 2024 will result in remand to state court.

4 I FURTHER ORDER that the certificates of interested parties filed by defendant
5 Caterpillar Inc. (ECF No. 2), plaintiff Clemens Koot (ECF No. 5), and defendant Pfizer Inc. are
6 STRICKEN for failure to comply with Federal Rule of Civil Procedure 7.1(a)(2).

7 I FURTHER ORDER these parties shall file a proper certificate of interested parties by
8 February 23, 2024.

9 DATED this 30th day of January, 2024.

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12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
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